

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER I-08-041

Relating to Independent Contractor Approval under  
Section 91207, Title 17, California Code of Regulations

Justice and Associates

WHEREAS, the Air Resources Board (ARB), pursuant to section 41512 of the California Health and Safety Code, has established the procedures contained in sections 91200-91220, title 17, California Code of Regulations, to allow the use of independent testers for compliance tests required by ARB;

WHEREAS, it has been determined that AIR<sub>x</sub> Testing Incorporated meets the requirements of ARB for conducting ARB Test Methods 1, 2, 3, 4, 5, 8, 100 (CO, CO<sub>2</sub>, NO<sub>x</sub>, O<sub>2</sub>, SO<sub>2</sub>, THC), 501, and Visible Emissions Evaluation (VEE) pursuant to sections 91200-91220, title 17, California Code of Regulations, when the following conditions are met:

1. AIR<sub>x</sub> Testing, Incorporated calibrates its differential pressure gauges after each test series in accordance with section 2.2 of ARB Test Method 2 and establishes and maintains a log of the calibrations;
2. AIR<sub>x</sub> Testing, Incorporated uses Anhydrous Calcium Sulfate as the desiccant in accordance with section 4.3 of ARB Test Method 5.
3. AIR<sub>x</sub> Testing, Incorporated participates in the United States Environmental Protection Agency Stationary Source Compliance Audit Program for approved methods;
4. AIR<sub>x</sub> Testing, Incorporated acquires and uses a triple beam lab balance for determining silica gel drying column weight gains;
5. AIR<sub>x</sub> Testing, Incorporated acquires and uses ASTM E617 Class 1 weights for calibrating its balances. It must also establish and maintain a log of the calibrations;
6. AIR<sub>x</sub> Testing Incorporated uses a 40 percent H<sub>2</sub>/60 percent He or a 40 percent H<sub>2</sub>/60 percent N<sub>2</sub> blend, as appropriate, as fuel for its hydrocarbon analyzer;
7. The person performing VEE passed ARB's Compliance Training Course#100: Fundamentals of Enforcement (FOE)/Visible Emissions Evaluation (Smoke School) and is currently certified to conduct VEE. Any subsequent recertification

must be from a certifying body recognized by ARB at the time VEE reader conducts the VEE test;

WHEREAS, AIR<sub>x</sub> Testing, Incorporated's source testing group was acquired by Justice and Associates and there were no other changes that would affect its ability to perform the tests for which AIR<sub>x</sub> Testing, Incorporated was approved;

WHEREAS, ARB's Executive Officer, pursuant to Health and Safety Code section 39516, issued Executive Order G-02-008, delegating to the Chief of ARB's Monitoring and Laboratory Division (MLD) the authority to approve independent testers in accordance with title 17, California Code of Regulations, sections 91200-91220.

NOW, THEREFORE, I, William V. Loscutt, Chief of ARB's MLD, order that Justice and Associates is granted an approval, from the date of execution of this order, until June 30, 2009, to conduct the tests listed above, subject to compliance with sections 91200-91220, title 17, California Code of Regulations.

BE IT FURTHER ORDERED that during the approved period, the Executive Officer or his authorized representative may field audit one or more tests conducted pursuant to this order for each type of testing listed above.

Executed at Sacramento, California this 19<sup>th</sup> day of September 2008.

*Original signed by*

William V. Loscutt, Chief  
Monitoring and Laboratory Division